

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

John Ernest Perry, Jr.,)	
)	
Plaintiff,)	
)	Civil Action No.: 0:18-cv-00827-JMC
v.)	
)	
Dalton Taylor, Sean Bailey,)	
)	ORDER
Defendants.)	
_____)	

Plaintiff, John Ernest Perry, Jr., a self-represented state prisoner, filed this civil rights action pursuant to 42 U.S.C. § 1983. For the reasons stated below, Plaintiff's Complaint is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for Plaintiff's failure to prosecute this case, and there shall be no issuance and service of process.

On March 29, 2018, Magistrate Judge Paige J. Gossett ordered Plaintiff to complete service documents necessary to advance this case. (ECF No. 7 at 1.) Plaintiff was warned that failure to provide the necessary information may subject the case to dismissal pursuant to Fed. R. Civ. P. 41. (*Id.*) Plaintiff did not respond to the order.

It is well established that a district court has authority to dismiss a case for failure to prosecute. "The authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases." *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962). In addition to its inherent authority, this court may also sua sponte dismiss a case for lack of prosecution under Fed. R. Civ. P. 41(b). *Id.*

Based on Plaintiff's failure to comply with the court's March 29 Order (ECF No. 7), the court concludes that Plaintiff does not intend to pursue the above-captioned matter. Accordingly, Plaintiff's Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). Further, there shall be no issuance or service of process.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

May 8, 2018
Columbia, South Carolina